

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIAIN RE DAVID V. WILLIAMS,

Plaintiff.

Case No. 24-cv-08715 BLF (PR)

**ORDER OF DISMISSAL; DENYING
MOTION FOR APPOINTMENT OF
COUNSEL**

(Docket No. 9)

On December 4, 2024, Plaintiff, who is currently at the Santa Rita Jail in Dublin, filed a letter which was construed as an attempt to file a civil rights action pursuant to 42 U.S.C. § 1983.¹ Dkt. No. 1. On the same day, the Clerk sent Plaintiff a notice that he had to file a proper complaint using the court form, as well as a separate notice to file an *In Forma Pauperis* (“IFP”) Application to resolve the filing fee. Dkt. Nos. 2, 3. The notices directed Plaintiff to file the complaint and a complete IFP motion within twenty-eight days or face dismissal. *Id.* That deadline was January 2, 2025.

Although Plaintiff subsequently filed a letter and a motion for appointment of counsel, he failed to file a proper complaint or a complete IFP application in the time

¹ This matter was originally before the Honorable Magistrate Judge Nathanael M. Cousins before it was reassigned to this Court on January 10, 2025, after the time for Plaintiff to consent to magistrate judge jurisdiction had passed. Dkt. No. 7.

1 provided. Dkt. Nos. 8, 9. Accordingly, Plaintiff's case is **DISMISSED** without prejudice
2 for failure to file a complaint and to pay the filing fee. Plaintiff's motion for appointment
3 of counsel is **DENIED** as moot. Dkt. No. 9.

4 The Clerk shall terminate all pending motions and close the file.

5 This order terminates Docket No. 9.

6 **IT IS SO ORDERED.**

7 Dated: January 30, 2025


BETH LABSON FREEMAN
United States District Judge

United States District Court
Northern District of California

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